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09/601,385	07/28/2000	Aviv Refuah	092/01664	2933

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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/601,385

Applicant(s)

REFUAH ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 76-78, 114-117 and 136-155 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 76-78, 114-117 and 136-155 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the Pre-Appeal Conference decision sent on 1/4/2007.
The Final Office Action sent on 12/30/2005 is hereby withdrawn. Claims 76-78, 114-117, 136-155 and 158-164 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 76-78, 114-117, 136-155 and 158-164 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 136, Applicant claims "*providing to the site...by an entity not associated with the site*". It is unclear "what/who" that an entity is associated with?

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 76-78, 114-117, 136-155 and 158-164 are rejected under 35 U.S.C. 102(e) as being anticipated by McLauchlin, US pub. No.20010011222 A1 (hereafter McLauchlin) .

As to claims 136, McLauchlin discloses a method of a user interacting with an Internet site, comprising:

transmitting to the site, by a user, a request for an Internet page and providing to the site, a user profile record of the user transmitting the request, by an entity not associated with the site (see abstract, fig.2, [0039] to [0040]); providing, responsive to each of the requests, information content of the Internet page (document and data may be reviewed according to their user ID, see [0039] to [0045]);

responding to the requests, with a page presentation of the provided information content in a display format selected responsive to the user profile record (see [0041] to [0045] and [0063] to [0065]).

As to claims 76 and 77, McLauchlin discloses said modification comprises modifying a display layout and modifying a level of detail shown (see [0107] to [0112] and [0122]).

As to claims 78, McLauchlin discloses said modification comprises selecting data to be displayed (see [0107] to [0112] and [0122]).

As to claims 114, McLauchlin discloses the at least one attribute of the display format determined responsive to the user profile comprises one or more display colors (see [0107] to [0112] and [0122]).

As to claims 115 and 116, McLauchlin discloses at least one attribute of the display format determined responsive to the user profile comprises an image quality and at least one attribute of the display format determined responsive to the user profile comprises a size, amount or density of displayed text (see).

As to claims 117, McLauchlin discloses that the display format responsive to the user profile comprises modifying a display format of a browser of the client (see [0152] to [0161] and [0085] to [0088]).

As to claims 137, McLauchlin discloses records are managed at least partially by tracking interactions of the user with an Internet and analyzing the tracked interactions to determine at least a part of the user profile (see [0142] to [0146] and [0162]).

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As to claims 138 and 139, McLauchlin discloses tracking at computers at which the users accesses the Internet and tracking at a computer from which users access the Internet and which tracks a plurality of users accessing the Internet from different client stations (see fig.1, [0034] to [0037] and [0063] to [0065]).

As to claims 140 and 141, McLauchlin discloses tracking computer is physically remote from a computer hosting the site and providing the same information content for a plurality of the users (see [0142] to [0146] and [0162]).

As to claims 142 and 143, McLauchlin discloses providing different information content including different search results, for a plurality of the users and providing the information content of the Internet page without relation to the user profile of the user transmitting the request (see [0142] to [0146] and [0162]).

As to claims 144 and 145, McLauchlin discloses the selected display format includes at least one non-information-content attribute selected responsive to the user profile and transmitting along with a user profile record (using buyer warrant profiles, see [0086] to [0100]).

As to claims 146, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in their level of detail (see [0142] to [0146] and [0162]).

As to claims 147, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in a percentage of image data that they include for one or more of their images (displaying users' customization of contents in the Internet, see [0034] to [0037] and [0063] to [0065]).

As to claims 148 and 149, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in their colors and the display formats selected responsive to the user profile records of at least two of the users differ in their spatial layout (see [0034] to [0037] and [0063] to [0065]).

As to claim 150, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in a size, amount or density of displayed text (see [0034] to [0037] and [0063] to [0065]).

As to claim 151, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in a number or percentage of non-textual objects (see [0034] to [0037] and [0063] to [0065]).

As to claim 152, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in the type of words they use (see [0104] to [0110] and [0112]).

As to claim 153, McLauchlin discloses the display formats selected responsive to the user profile records of at least two of the users differ in a ratio between images and text in the page (see [0034] to [0037] and [0063] to [0065]).

As to claim 154, McLauchlin discloses responding to the requests comprises responding by the site, which selects the display format (see [0152] to [0161] and [0085] to [0088]).

As to claim 155, McLauchlin discloses responding to the requests comprises providing the information content by the site, and selecting the display format at least partially by a persona server, separate from the site, which provides the presentations to the users (see [0157] to [0161] and [0085] to [0088]).

As to claim 158-159, McLauchlin discloses repeating (a) (b) (c) (d) for a plurality of unrelated sites using a single user profile and for a plurality of user profile records and a single site, wherein at least some of the responses to the requests differ at least in their display formats (see [0104] to [0110] and [0112]).

As to claims 160-162, McLauchlin discloses providing a record at least partially determined for one or more other users, a proxy through which the request for the

Internet page is provided to the site and generated in a manner transparent to the user (see [0104] to [0110] and [0133] to [0134]).

As to claims 163-164, McLauchlin discloses the display format is selected responsive to at least one attribute of the user profile record which is independent of the information content of the site and tracking computer which tracks access to a plurality of different unrelated sites (see [0034] to [0037] and [0063] to [0065]).

Response to Arguments

6. Applicant's arguments with respect to claims 76-78, 114-117, 136-155 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


7. Claims 76-78, 114-117 and 136-155 and 158-164 are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KHANH DINH
PRIMARY EXAMINER
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